

**BOROUGH OF CONSHOHOCKEN**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_ 2019**

**AN ORDINANCE OF THE BOROUGH OF CONSHOHOCKEN, MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF CONSHOHOCKEN, CHAPTER 27 ZONING, PART 3 ADMINISTRATION, BY AMENDING SECTION 27-310 *FEDERAL, STATE OR MUNICIPALLY OWNED PROPERTY* TO CLARIFY THAT MUNICIPALLY OWNED PROPERTY IS SUBJECT TO THE REQUIREMENTS OF PART 17 *FP – FLOODPLAIN CONSERVATION DISTRICT*; REPEALING PRIOR INCONSISTENT ORDINANCES OR PART OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, the Borough Council of the Borough of Conshohocken is duly empowered by the Borough Code to enact certain regulations relating to the public health, safety and welfare of the citizens of the community of the Borough of Conshohocken; and

**WHEREAS**, the Borough Council of the Borough of Conshohocken has adopted a comprehensive Borough Zoning Ordinance, in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code; which same Ordinance is intended to provide for the orderly development and redevelopment of the Borough; and

**WHEREAS**, the Borough Council has enacted floodplain regulations at Part 17 of the Zoning Ordinance (*FP – Floodplain Conservation District*), approved by the Federal Emergency Management Agency (FEMA) for purposes of participating in the National Flood Insurance Program (NFIP);

**WHEREAS**, the Borough has enacted regulations relating specifically to municipally-owned property at Part 3 *Administration*, Section 27-310 *Federal, State or Municipally Owned Property*;

**WHEREAS**, FEMA has directed the Borough to amend the regulations relating to municipally-owned property to clarify that municipally-owned property is subject to the requirements of Part 17 *FP – Floodplain Conservation District*; and

**WHEREAS**, the Borough Council of the Borough of Conshohocken believes it to be in the best interest of the Borough to amend the Zoning Ordinance and ensure the continued participation of the Borough in the NFIP.

**NOW THEREFORE**, be it **ORDAINED** and it is hereby **ORDAINED** by the Council of the Borough of Conshohocken as follows:

### **SECTION 1.**

The Borough of Conshohocken Zoning Ordinance, Part 3 *Administration*, Section 27-301 *Federal, State or Municipally Owned Property* is hereby amended by repealing Section 27-301 in its entirety and replacing it with the following:

#### **§ 27-310 Federal, State or Municipally Owned Property**

Wherever federal or state-owned property is included in one or more zoning districts, it shall be subject to the provisions of this Chapter only insofar as is permitted by the Constitution and Laws of the United States of America and of the Commonwealth of Pennsylvania. In the case of municipally owned property, the provisions of this Chapter shall not apply, with the exception of Part 17 *FP – Floodplain Conservation District* which shall apply to municipally owned property with full force and effect.

### **SECTION 2. REPEALER**

Any and all other Ordinances or parts of Ordinances in violation or in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

### **SECTION 3. SAVINGS CLAUSE**

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, non-enforceable or unconstitutional, the Council hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, non-enforceable, or unconstitutional portion, part or provision of this Ordinance.

### **SECTION 4. EFFECTIVE DATE**

This Ordinance shall become effective immediately.

ORDAINED and ENACTED an ordinance of the Borough of Conshohocken this \_\_\_\_\_  
day of \_\_\_\_\_, 2019.

BOROUGH OF CONSHOHOCKEN

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COLLEEN LEONARD, COUNCIL PRESIDENT

ATTEST:

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SECRETARY

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019

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YANIV ARONSON, MAYOR